DECISION AND ORDER

OF THE

BOARD OF PSYCHOLOGY

DEPARTMENT OF CONSUMER AFFAIRS

The attached Stipulated S	ettlement and Disciplinar	y Order in case number W	261, is
nereby adopted as the Decision a	nd Order of the Board of	Psychology, Department o	f Consumer
Affairs. An effective date of	Tuly 30th	, 2005 has been assigned	d to this
Decision and Order.			

Made this 30th day of June

Jacqueline B. Horn, Ph.D. President, Board of Psychology Department of Consumer Affairs

, 2005.

1 2	BILL LOCKYER, Attorney General of the State of California GAIL M. HEPPELL, Supervising		
3	Deputy Attorney General 1300 I Street, Suite 125		
4	P. O. Box 944255 Sacramento, CA 94244-2550		
5	Telephone: (916) 324-5336		
6	Attorneys for Complainant		
7	DEFODE THE		
8	BEFORE THE CALIFORNIA BOARD OF PSYCHOLOGY DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA		
9	STATE OF CALIFORNIA		
11	In the Matter of the Accusation Against:) Case No. W261		
12)) CHYDYLL ATED CETTEL EMENT		
13	SUSAN SPERAW, Ph.D. 11032 Crosswind Drive AND DISCIPLINARYORDER 11032 Crosswind Drive		
14	Knoxville, TN 37922		
15	Psychologist's License No. PSY 13811		
16	Respondent.		
17			
18	IT IS HEREBY STIPULATED AND AGREED by and between the parties to the		
19	above-entitled proceeding that the following matters are true:		
20	PARTIES		
21	1. Complainant, Thomas O'Connor, is the Executive Officer of the California		
22	Board of Psychology (hereinafter the "Board") and brings this accusation solely in his official		
23	capacity.		
24	2. Respondent Susan Speraw, Ph.D. (hereinafter respondent) is representing		
25	herself in this matter.		
26	3. On or about March 3, 1994, Psychologist's License No. PSY 13811 was		
27	issued by the Board to respondent. Said license is valid, but became inactive on May 31, 1995.		
28	Said license will expire on May 31, 2007 unless renewed.		

JURISDICTION

4. Accusation No. W261 was filed before the Board of Psychology and is currently pending against respondent. The Accusation and all other statutory documents were properly served on respondent on July 22, 2003. Respondent timely filed her Notice of Defense contesting the allegations in the Accusation. A copy of Accusation No. W261 is attached hereto as Exhibit A and incorporated by reference as if fully set forth at this point.

ADVISEMENTS AND WAIVERS

- Respondent has carefully read and understands the charges and allegations in Accusation No. W261. Respondent has also carefully read and understands the effects of this Stipulated Settlement.
- 6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in the First Cause for Discipline, Business and Professions Code sections 2960, 2960(m), and 2960.6, discipline imposed by other states, in Accusation No. W261.

RESERVATION

9. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceeding in which the California Board of Psychology or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

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10. This stipulation shall be subject to approval by the California Board of sychology. Respondent understands and agrees that counsel for Complainant and the staff of he Board of Psychology may communicate directly with the Board regarding this stipulation and ettlement, without notice to or participation by Respondent. By signing this stipulation, espondent understands and agrees that she may not withdraw her agreement or seek to rescind he stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt his stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall e of no force or effect, except for this paragraph, it shall be inadmissible in any legal action etween the parties, and the Board shall not be disqualified from further action by having onsidered this matter.

The parties understand and agree that facsimile copies of this Stipulated

In consideration of the foregoing admissions and stipulations, the parties

Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

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following disciplinary order:

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DISCIPLINARY ORDER

agree that the Board may, without further notice or formal proceeding, issue and enter the

IT IS HEREBY ORDERED THAT Susan Speraw, holder of Psychologist's License No. PSY 13811, is publically reproved by the California Board of Psychology under Business and Professions Code sections 495 and 2960, 2960(m) and 2960.6 (discipline imposed by other states).

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IT IS FURTHER ORDERED THAT Respondent shall reimburse the California Board of Psychology the amount of \$400 for the costs of investigation and prosecution of the above-entitled matter. Payment shall be made within 90 days of the effective date of this decision.

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Payment of these costs by respondent is not tolled by her practice of psychology or residence in another state. Failure of respondent to reimburse the Board for these costs shall

1	constitute a violation of the Board's Order and she shall be subject to the provisions of the	
2	Business and Professions Code section 2960 or any related statutes and regulations unless the	
3	Board agrees in writing to a payment plan because of financial hardship. The filing of	
4	bankruptcy shall not relieve respondent of her responsibility to reimburse the Board for its	
5	investigation and prosecution costs.	
6	ACCEPTANCE	
7	I have carefully read the above Stipulated Settlement. I understand the stipulation	
8	and the effect it will have on my psychologist's license. I enter into this Stipulated Settlement	
9	voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the	
10	California Board of Psychology.	
11	DATED: 5-7-05	
12		
13	SUSAN SPERAW, PH.D.	
14	Respondent	
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16	ENDORSEMENT	
17	The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully	
18	submitted for consideration by the California Board of Psychology.	
19	DATED: 5-13-05	
20	BILL LOCKYER, Attorney General of the State of California	
21	of the State of Camfornia	
22	to a manual	
23	GAIL M. HEPPELL	
24	Supervising Deputy Attorney General	
25	Attorneys for Complainant	
26		
27		

1 2	BILL LOCKYER, Attorney General of the State of California GAIL M. HEPPELL, Supervising FILED		
	Deputy Attorney General STATE OF CALIFORNIA		
3	P. O. Box 944255 SACRAMENTO July 17 20 03		
4	Sacramento, CA 94244-2550 Telephone: (916) 324-5336		
5			
6	Attorneys for Complainant		
7	BEFORE THE		
8	CALIFORNIA BOARD OF PSYCHOLOGY DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA		
10	STATE OF CALLS		
	In the Matter of the Accusation Against:) Case No. W261		
11	In the Matter of the Accusation Against: (Case No. W261)		
12	SUSAN SPERAW, Ph.D.) ACCUSATION		
13	3 11032 Crosswind Drive) Knoxville, TN 37922		
14	Psychologist's License)		
15	No. PSY 13811		
16	Respondent.		
17			
18	The Complainant alleges:		
19	PARTIES		
20	1. Complainant, Thomas O'Connor, is the Executive Officer of the California		
21	Board of Psychology (hereinafter the "Board") and brings this accusation solely in his official		
22	capacity.		
23	2. On or about March 3, 1994, Psychologist's License No. PSY 13811 was		
24	issued by the Board to Susan Speraw, Ph.D. (hereinafter "respondent"). Said license is valid, but		
25	became inactive on May 31, 1995. Said license will expire on May 31, 2005 unless renewed.		
26	JURISDICTION		
27	3. Pursuant to Business and Professions Code sections 2960 and 2960(m) the		
28	Board may suspend or revoke a psychologist's license or impose probationary conditions upon a		

- "(m) The suspension, revocation or imposition of probationary conditions by another state or country of a license or certificate to practice psychology or as a psychological assistant issued by that state or county to a person also holding a license or registration issued under this chapter if the act for which the disciplinary action was taken constitutes a violation of this section."
- 4. Section 2960.6(a) of the Business and Professions Code (hereinafter "Code") provides in relevant part that the Board may suspend or revoke a license or registration issued under this chapter for the following: the revocation, suspension or other disciplinary action imposed by another state or country on a license, certificate, or registration issued by that state or country to practice psychology shall constitute grounds for disciplinary action for unprofessional conduct against that licensee or registrant in this state. A certified copy of the decision or judgment of the other state or country shall be conclusive evidence of that action.
- 5. Section 118(b) of the Code provides, in part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the time within which the license may be renewed, restored, or reinstated.
- 6. Section 125.3 of the Code provides, in part, that, in any proceeding before the Board, the Board may request the administrative law judge to direct the respondent if the judge finds that the respondent has violated the laws and regulations relating to the practice of psychology to pay the reasonable costs of investigation and enforcement of the case.
- 7. Section 2964.6 of the Code provides that if probation is imposed in a case before the Board of Psychology, the decision may also require that the licensee pay the costs associated with monitoring the probation.

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FIRST CAUSE FOR DISCIPLINE

(Discipline Imposed by Another State)

On or about May 17, 2001, the State of Tennessee, Department of Health, Office of General Counsel, Board of Examiners in Psychology issued a Letter of Reprimand to respondent. Respondent was reprimanded for conduct not consistent with the high standards of professional practice. Respondent made a recommendation regarding visitation of a minor child with her mother based on information received from the father who was the custodial parent and through interviews with the child. Respondent failed to interview the mother. It was determined that respondent who was the child's therapist acted inappropriately as an evaluator relative to the child's visitation situation and that respondent failed to report the suspected abuse to proper authorities.

On or about December 22, 2001, the State of Oregon Board of Psychological Examiners issued a Consent Order reprimanding respondent and assessing a civil penalty of \$1,000. Respondent further agreed not to renew her license issued by the Oregon Board and that if she applies to the Oregon Board for licensure, she will be required to pass a "Standard" Oral Examination. It was found that due to the Letter of Reprimand issued by the Tennessee Board of Examiners in Psychology respondent was not eligible for the "Special" Oral Examination which was administered to her on June 29, 2001.

Respondent's conduct as set forth in paragraphs 8 and 9 above and the 10. discipline imposed by the States of Tennessee and Oregon constitutes unprofessional conduct within the meaning of Code sections 2960, 2960(m), and 2960.6.

PRAYER

WHEREFORE complainant requests that a hearing be held on the matters herein alleged and that, following the hearing, the Board issue a decision:

- 1. Revoking or suspending Psychologist's License number PSY 13811 heretofore issued to respondent Susan Speraw, Ph.D.;
- Ordering respondent to pay the Board the actual and reasonable costs of the investigation and enforcement of this case and the costs of probation monitoring if probation

1	is imposed; and		
2	3. Taking such other and further action as the Division may deem necessary		
3	or proper.		
4	DATED: July 17, 2003		
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6	Thomas O Comm		
7	Thomas O'Connor Executive Officer		
8	Board of Psychology Department of Consumer Affairs State of California		
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10	Complainant		
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